

United States District Court  
NORTHERN DISTRICT OF CALIFORNIA

ADR

Cuiyao GUTIERREZ

E-FILING

SUMMONS IN A CIVIL CASE

CASE NUMBER:

C07 06013

RMW

PVT

v.

Michael Chertoff, Secretary; Emilio T. Gonzalez,  
Director, CIS; Rosemary Melville, Dist. Director;  
Frank Siciliano, Field Office Dir., U.S.D.H.S.

TO: (Name and address of defendant)

Mr. Michael Chertoff  
Secretary, U.S.D.H.S.  
c/o Office of General Counsel  
U.S. Department of Homeland Security  
Washington, D.C. 20528

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Edward R. Litwin  
Christina H. Lee  
Litwin & Associates  
1435 Huntington Ave., Ste. 336,  
South San Francisco, CA 94080  
tel: (650) 588-7100  
fax: (650) 588-4302  
email: elitwin@litwinlaw.com

an answer to the complaint which is herewith served upon you, within 60 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Richard W. Wieking

CLERK


NOV 28 2007

DATE

  
(BY) DEPUTY CLERK

Tiffany Salinas-Harwell

AO 440 (Rev. 8/01) Summons in a Civil Action

<b>RETURN OF SERVICE</b>		
<div style="text-align: center;">★</div> Service of the Summons and Complaint was made by me <sup>1</sup>		DATE 11/30/2007
Name of SERVER Lisa Teofilo		TITLE Legal Assistant
Check one box below to indicate appropriate method of service		
<div style="display: flex; flex-direction: column; gap: 10px;"> <div> <input type="checkbox"/> Served Personally upon the Defendant. Place where served:         </div> <div> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.            Name of person with whom the summons and complaint were left:         </div> <div> <input type="checkbox"/> Returned unexecuted:         </div> <div> <input checked="" type="checkbox"/> Other (specify): Via certified mail.         </div> </div>		
<b>STATEMENT OF SERVICE FEES</b>		
TRAVEL	SERVICES	TOTAL
<b>DECLARATION OF SERVER</b>		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between; align-items: flex-start; margin-top: 20px;"> <div style="width: 40%;">           Executed on <u>11/30/2007</u>  <div style="text-align: center; font-size: small;">Date</div> </div> <div style="width: 55%; text-align: right;">   <div style="text-align: center; font-size: small;">Signature of Server</div>           1435 Huntington Avenue, Suite 336            South San Francisco, CA 94080  <div style="text-align: center; font-size: small;">Address of Server</div> </div> </div>		
<p>(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure</p> <p>* and other papers.</p>		

**CERTIFICATE OF SERVICE**

I, Lisa Teofilo declare:

That I am over the age of 18 and not a party to this action. My business address is 1435  
Huntington Ave, Suite 336, South San Francisco, CA 94080.

On 11/30/2007, I served a true copy of the following document:

- Complaint and summons and other papers.

By sending said copy in a sealed envelope, with postage fully paid thereon, by first class certified  
mail to the following addresses:

Michael Chertoff  
Secretary, US Department of Homeland Security  
c/o Office of the General Counsel  
U.S. Department of Homeland Security  
Washington, D.C. 20528

Emilio T. Gonzalez  
Director, USCIS  
c/o Office of the General Counsel  
U.S. Department of Homeland Security  
Washington, D.C. 20528

Rosemary Melville  
District Director, USCIS Northern California  
c/o Office of the General Counsel  
U.S. Department of Homeland Security  
Washington, D.C. 20528

Frank Siciliano, Field Office Director  
c/o Office of the General Counsel  
U.S. Department of Homeland Security  
Washington, D.C. 20528

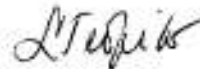
Michael B. Mukasey  
U.S. Attorney General  
U.S. Department of Justice  
950 Pennsylvania Ave, NW  
Washington, D.C. 20530-0001

Office of the U.S. Attorney  
Northern District of California  
ATTN: Civil Process Clerk  
450 Golden Gate Avenue  
P.O. Box 36055  
San Francisco, CA 94102

Robert S. Mueller  
Director, FBI  
U.S. Department of Justice  
Federal Bureau of Investigations  
J. Edgar Hoover Building  
935 Pennsylvania Avenue, NW  
Washington, D.C. 20535-0001

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 30<sup>th</sup> day of November 2007, at South San Francisco, California.



\_\_\_\_\_  
Lisa Teofilo

I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/s/) within this efiled document.

\_\_\_\_\_  
/s/

Christina H. Lee

Certificate of Service  
Cuiyao GUTIERREZ, C07 06013